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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 JOHN LITTLE,

12 Plaintiff,

13 v.

14 PAT PENDRY, et al.,

15 Defendants.

CASE NO. C07-1341BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION,
DISMISSING PLAINTIFF'S
COMPLAINT, AND DENYING
PLAINTIFF'S MOTION FOR
INJUNCTIVE RELIEF

16 This matter comes before the Court on the Report and Recommendation of U.S.
17 Magistrate Judge Mary Alice Theiler (Dkt. 78) and Plaintiff's Motion for Injunctive
18 Relief (Dkt. 79). The Court has considered the pleadings filed in support of and in
19 opposition to the motions, the Report and Recommendation, and the remainder of the file
20 and hereby adopts Judge Theiler's Report and Recommendation and denies Plaintiff's
21 motion for the reasons stated herein.

22 First, Judge Theiler recommends that the Court grant Defendants' Motion for
23 Summary Judgement (Dkt. 52), deny Plaintiff's cross-motion for summary judgment
24 (Dkt. 72), and dismiss Plaintiff's complaint. *Id.* Plaintiff did not file objections to the
25 Report and Recommendation and has failed to show that there is clear error on the face of
26 the record. Therefore, the Court adopts the Report and Recommendation.


1 Second, Plaintiff requests injunctive relief regarding his legal materials generated
2 from this, as well as other actions. Dkt. 79. Plaintiff claims that he is soon to be released
3 from confinement. *Id.* at 1; *see also* Dkt. 85 (Plaintiff released from confinement and
4 mail returned undeliverable). Plaintiff also claims that he has accumulated over seven
5 thousand pages of legal documents. Dkt. 79. at 1-2. Plaintiff requests that the Snohomish
6 County Jail store Plaintiff's documents until "arrangements can be made for the
7 transportation of the documents." *Id.* at 2. Plaintiff has provided no authority for the
8 proposition that Snohomish County Jail should operate as a storage facility, and the Court
9 denies Plaintiff's motion for injunctive relief.

10 Therefore, it is hereby

11 **ORDERED** that

- 12 (1) The Court **ADOPTS** the Report and Recommendation (Dkt. 78);
13 (2) Defendants' motion for summary judgment (Dkt. 52) is **GRANTED**,
14 Plaintiff's cross-motion for summary judgment (Dkt. 72) and motion for
15 injunctive relief (Dkt. 65) are **DENIED**, and this action is **DISMISSED**
16 with prejudice;
17 (3) For purposes of 28 U.S.C. 1915(g), this action is dismissed on the ground
18 that it is frivolous; and
19 (4) Plaintiff's Motion for Injunctive Relief (Dkt. 81) is **DENIED**.

20 DATED this 22nd day of August, 2008.

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23 BENJAMIN H. SETTLE
24 United States District Judge
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